

EXHIBIT 1

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to cases 18-cv-05053; 18-cv-09797; 18-cv-09836; 18-cv-09837; 18-cv-09838; 18-cv-09839; 18-cv-09840; 18-cv-09841; and 18-cv-10100.

MASTER DOCKET

18-MD-2865 (LAK)

[PROPOSED] ORDER GRANTING SKAT'S MOTION FOR DISCOVERY

Upon the Motion of Plaintiff Skatteforvaltningen (“SKAT”), dated March 23, 2020, for an order requiring Third Party Defendant ED&F Man Capital Markets, Ltd. (“ED&F Man”) to produce to Plaintiff SKAT in this action documents responsive to SKAT’s First Requests for Production of Documents (the “Requests”) that are in ED&F Man’s possession, custody, or control:

WHEREAS, the Plaintiff in these actions served the Requests on Third Party Defendant ED&F Man seeking production of documents in ED&F Man’s possession, custody or control on September 30, 2019;

WHEREAS, on November 21, 2019, ED&F Man served its responses and objections to the Requests, objecting mainly on the grounds that the Requests seek “to shortcut the ongoing discovery in England between ED&F Man and SKAT” and that because the requests relate to all plans for which ED&F Man purportedly acted as a custodian, “SKAT is seeking discovery purely for the benefit of the English Litigation”;

WHEREAS, at the Status Conference on March 5, 2020 the Court directed the

parties to meet and confer with respect to the dispute over ED&F Man's proposed production to SKAT, the parties have done so, were only able to resolve their differences in part, and separately advised the Court of their respective positions by letter on March 23, 2020;

IT IS HEREBY ORDERED THAT:

1. ED&F Man shall produce to SKAT by May 1, 2020: (a) all documents underlying ED&F Man's analysis (performed by FTI) of the parties that received the proceeds of payments that SKAT made with respect to credit advice notes that ED&F Man has identified (in its Annex E pleading in the English High Court) as false, which analysis it summarized in ED&F Man's letter to SKAT's English solicitors Pinsent Masons on January 13, 2020; (b) all Dividend Reconciliation Sheets, being the internal ED&F Man documents used to create the dividend credit advice notes that the Pension Plans submitted to SKAT; (c) excerpts from ED&F Man's own stock record reflecting the Danish shares that were the subject of the credit advice notes that the Pension Plans submitted to SKAT, and (d) all Account Equity and Account Transactions documents for the Pension Plans listed in the Requests.

2. ED&F Man shall produce to SKAT by July 31, 2020 the Trade Packs, demonstrating ED&F Man's involvement in, and purported operation and funding of the transactions underlying the disputed withholding tax applications, with rolling production of Trade Packs in equal monthly productions beginning May 1.

SO ORDERED.

Dated: New York, New York
March ___, 2020

The Honorable Lewis A. Kaplan
United States District Judge